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MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: AFF-Affirmative

FR CITE: 81 FR 42314 FR CITE DATE: 06/29/2016

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-028

EFFECTIVE DATE: 06/29/2016 COURT CASE #:

PERIOD OF REVIEW: 10/01/2014 TO 03/31/2015

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Notice of final determination in the antidumping duty investigation of hydrofluorocarbon blends and components thereof from the PRC (A-570-028), and critical circumstances

1. On 06/29/2016, Commerce published in the Federal Register (81 FR 42314) its final determination of sales at less than fair value and final affirmative determination of critical circumstances in the antidumping duty investigation of hydrofluorocarbon blends and components thereof (HFCs) from the People's Republic of China (PRC).

2. The products subject to this investigation are HFCs and single HFC components of those blends thereof, whether or not imported for blending. HFC blends covered by the scope are R-404A, a zeotropic mixture consisting of 52 percent 1,1,1 Trifluoroethane, 44 percent Pentafluoroethane, and 4 percent 1,1,1,2-Tetrafluoroethane; R-407A, a zeotropic mixture of 20 percent Difluoromethane, 40 percent Pentafluoroethane, and 40 percent 1,1,1,2-Tetrafluoroethane; R-407C, a zeotropic mixture of 23 percent Difluoromethane, 25 percent Pentafluoroethane, and 52 percent 1,1,1,2-Tetrafluoroethane; R-410A, a zeotropic mixture of 50 percent Difluoromethane and 50 percent Pentafluoroethane; and R-507A, an azeotropic mixture of 50 percent Pentafluoroethane and 50 percent 1,1,1-Trifluoroethane also known as R-507. The foregoing percentages are nominal percentages by weight. Actual percentages of single component refrigerants by weight may vary by plus or minus two percent points from the nominal percentage identified above.*

The single component HFCs covered by the scope are R-32, R-125, and R-143a. R-32 or Difluoromethane has the chemical formula CH_2F_2 , and is registered as CAS No. 75-10-5. It may also be known as HFC-32, FC-32, Freon-32, Methylene difluoride, Methylene fluoride, Carbon fluoride hydride, halocarbon R32, fluorocarbon R32, and UN 3252. R-125 or 1,1,1,2,2-Pentafluoroethane has the chemical formula CF_3CHF_2 and is registered as CAS No. 354-33-6. R-125 may also be known as R-125, HFC-125, Pentafluoroethane, Freon 125, and Fc-125, R-125. R-143a or 1,1,1-Trifluoroethane has the chemical formula CF_3CH_3 and is registered as CAS No. 420-46-2. R-143a may also be known as R-143a, HFC-143a, Methylfluoroform, 1,1,1-Trifluoroform, and UN2035.

Also included are semi-finished blends of Chinese HFC components. Except as described below,
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semi-finished blends are blends of two Chinese HFCs components (i.e., R-32, R-125, and R-143a), as well as blends of any one of these components with Chinese R-134a, that are used to produce the subject HFC blends that have not been blended to the specific proportions required to meet the definition of one of the subject HFC blends described above (R-404A, R-407A, R-407C, R-410A, and R-507A).

This investigation includes any Chinese HFC components (i.e., R-32, R-125, and R-143a), as well as Chinese R-134a,** that are blended in a third country to produce a subject HFC blend before being imported into the United States. Chinese R-134a is not subject to the scope of this investigation unless it is blended with another Chinese HFC component (i.e., R-32, R-125, and R-143a) into a subject blend or semi-finished blend before being imported into the United States.

Any blend or semi-finished blend that includes an HFC component other than R-32, R-125, R-143a, or R-134a is excluded from the scope of this investigation. Furthermore, semi-finished blends do not include any blends containing both HFCs R-32 and R-143a. Single-component HFCs and semi-finished HFC blends are not excluded from the scope of this investigation when blended with HFCs from non-subject countries.

Excluded from this investigation are blends of refrigerant chemicals that include products other than HFCs, such as blends including chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), hydrocarbons (HCs), or hydrofluoroolefins (HFOs).

Also excluded from this investigation are patented HFC blends, including, but not limited to, ISCEON® blends, including MO99™ (R-438A), MO79 (R-422A), MO59 (R-417A), MO49Plus™ (R-437A) and MO29™ (R-422D), Genetron® Performax™ LT (R-407F), Choice® R-421A, and Choice® R-421B.

HFC blends covered by the scope of this investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings 3824.78.0020 and 3824.78.0050. Single component HFCs are currently classified at subheadings 2903.39.2035 and 2903.39.2045, HTSUS.*** Although the HTSUS subheadings and CAS registry numbers are provided for convenience and customs purposes, the written description of the scope is dispositive.

* R-404A is sold under various trade names, including Forane® 404A, Genetron® 404A, Solkane® 404A, Klea® 404A, and Suva®404A. R-407A is sold under various trade names, including Forane® 407A, Solkane® 407A, Klea®407A, and Suva®407A. R-407C is sold under various trade names, including Forane® 407C, Genetron® 407C, Solkane® 407C, Klea® 407C and Suva® 407C. R-410A is sold under various trade names, including EcoFluor R410, Forane®

410A, Genetron® R410A and AZ-20, Solkane® 410A, Klea® 410A, Suva® 410A, and Puron®. R-507A is sold under various trade names, including Forane® 507, Solkane® 507, Klea®507, Genetron®AZ-50, and Suva®507. R-32 is sold under various trade names, including Solkane®32, Forane®32, and Klea®32. R-125 is sold under various trade names, including Solkane®125, Klea®125, Genetron®125, and Forane®125. R-143a is sold under various trade names, including Solkane®143a, Genetron®143a, and Forane®125.

** However, if the only Chinese content of such a third country blend is the R-134a portion, then such a third country blend is excluded from the scope of this investigation.

*** We note that HFC blends were classified at HTSUS subheading 3824.78.0000 and single component HFCs were classified at HTSUS subheading 2903.39.2030 in 2015.

3. This investigation has been assigned investigation number A-570-028.

4. In its final determination, Commerce continued to find critical circumstances for certain companies in accordance with its preliminary determination. Accordingly, for imports of hydrofluorocarbon blends and components thereof from the PRC, CBP shall continue to suspend liquidation of such shipments that are entered, or withdrawn from warehouse, for consumption prior to 06/29/2016 (the date of publication of the final determination in this investigation) in accordance with message 6036308, dated 2/5/2016, corrected by message 6140303, dated 5/19/2016 (the preliminary determination messages).

5. Effective 06/29/2016 (the date of publication of the final determination in this investigation), for entries of hydrofluorocarbon blends and components thereof from the PRC from the exporter/producer combinations listed below, CBP shall require a cash deposit equal to the following dumping margins:

Exporter: PRC-Wide Entity

Case number: A-570-028-000

Cash deposit rate: 216.37%

Exporter: T.T. International Co., Ltd.

Producer: Sinochem Environmental Protection Chemicals (Taicang) Co., Ltd.

Case number: A-570-028-007

Cash deposit rate: 101.82%

Exporter: T.T. International Co., Ltd.

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Producer: Zhejiang Lantian Environmental Protection Fluoro Material Co. Ltd.

Case number: A-570-028-008

Cash deposit rate: 101.82%

Exporter: T.T. International Co., Ltd.

Producer: Jinhua Yonghe Fluorochemical Co., Ltd.

Case number: A-570-028-009

Cash deposit rate: 101.82%

Exporter: T.T. International Co., Ltd.

Producer: Zhejiang Sanmei Chemical Industry Co., Ltd.

Case number: A-570-028-010

Cash deposit rate: 101.82%

Exporter: T.T. International Co., Ltd.

Producer: Shandong Huaan New Material Co., Ltd.

Case number: A-570-028-011

Cash deposit rate: 101.82%

Exporter: T.T. International Co., Ltd.

Producer: Zhejiang Zhonglan Refrigeration Technology Co., Ltd.

Case number: A-570-028-012

Cash deposit rate: 101.82%

Exporter: T.T. International Co., Ltd.

Producer: Dongyang Weihua Refrigerants Co., Ltd.

Case number: A-570-028-013

Cash deposit rate: 101.82%

Exporter: Daikin Fluorochemicals (China) Co., Ltd.

Producer: Daikin Fluorochemicals (China) Co., Ltd.

Case number: A-570-028-014

Cash deposit rate: 101.82%

Exporter: Jinhua Yonghe Fluorochemical Co., Ltd.

Producer: Zhejiang Yonghe Refrigerant Co., Ltd.

Case number: A-570-028-015

Cash deposit rate: 101.82%

Exporter: Shandong Huaan New Material Co., Ltd.
Producer: Shandong Huaan New Material Co., Ltd.
Case number: A-570-028-016
Cash deposit rate: 101.82%

Exporter: Weitron International Refrigeration Equipment (Kunshan) Co., Ltd.
Producer: Zhejiang Lantian Environmental Protection Fluoro Material Co., Ltd.
Case number: A-570-028-017
Cash deposit rate: 101.82%

Exporter: Weitron International Refrigeration Equipment (Kunshan) Co., Ltd.
Producer: Sinochem Environmental Protection Chemicals (Taicang) Co., Ltd.
Case number: A-570-028-018
Cash deposit rate: 101.82%

Exporter: Weitron International Refrigeration Equipment (Kunshan) Co., Ltd.
Producer: Zhejiang Quzhou Lianzhou Refrigerants Co., Ltd.
Case number: A-570-028-019
Cash deposit rate: 101.82%

Exporter: Weitron International Refrigeration Equipment (Kunshan) Co., Ltd.
Producer: Zhejiang Sanmei Chemical Industry Co., Ltd.
Case number: A-570-028-020
Cash deposit rate: 101.82%

Exporter: Zhejiang Yonghe Refrigerant Co., Ltd.
Producer: Jinhua Yonghe Fluorochemical Co., Ltd.
Case number: A-570-028-021
Cash deposit rate: 101.82%

Exporter: Zhejiang Sanmei Chemical Industry Co., Ltd. (Zhejiang Sanmei Chemical Industry Co., Ltd.)
Producer: Zhejiang Sanmei Chemical Industry Co., Ltd. (Zhejiang Sanmei Chemical Industry Co., Ltd.)
Case number: A-570-028-022
Cash deposit rate: 101.82%

Exporter: Zhejiang Sanmei Chemical Industry Co., Ltd. (Zhejiang Sanmei Chemical Industry Co., Ltd.)

Producer: Jiangsu Sanmei Chemicals Co., Ltd.

Case number: A-570-028-023

Cash deposit rate: 101.82%

Exporter: Daikin Fluorochemicals (China) Co., Ltd.

Producer: Arkema Daikin Advanced Fluorochemicals (Changsu) Co., Ltd. (Arkema Daikin)

Case number: A-570-028-024

Cash deposit rate: 101.82%

6. In Commerce's final determination, Commerce determined that the following producer/exporter combinations are no longer eligible for a separate rate and are considered part of the PRC-wide entity:

Exporter: Shandong Dongyue Chemical Co., Ltd./Huantai Dongyue International Trade Co., Ltd.

Producer: Shandong Dongyue Chemical Co., Ltd.

Exporter: Shandong Dongyue Chemical Co., Ltd./Huantai Dongyue International Trade Co., Ltd.

Producer: Jiangsu Melian Chemical Co., Ltd.

Exporter: Shandong Dongyue Chemical Co., Ltd./Huantai Dongyue International Trade Co., Ltd.

Producer: Jiangxi Gemei Fluorine Chemical Co., Ltd.

Exporter: Shandong Dongyue Chemical Co., Ltd./Huantai Dongyue International Trade Co., Ltd.

Producer: Liaocheng Fuer New Material Technology Co., Ltd.

Exporter: Shandong Dongyue Chemical Co., Ltd./Huantai Dongyue International Trade Co., Ltd.

Producer: Zhejiang Quzhou Juxin Fluorine Chemical Co., Ltd.

Exporter: Shandong Dongyue Chemical Co., Ltd./Huantai Dongyue International Trade Co., Ltd.

Producer: Zhejiang Sanmei Chemical Ind. Co., Ltd.

Therefore, effective 06/29/2016, entries of merchandise by these producer/exporter combinations should enter under A-570-601-000 at the applicable cash deposit rate for the PRC-wide entity.

Accordingly, Commerce has deactivated the following producer/exporter case numbers: A-570-028-001, A-570-028-002, A-570-028-003, A-570-028-004, A-570-028-005, and A-570-028-006.

7. For all other entries of hydrofluorocarbon blends and components thereof from the PRC, the following cash deposit instructions apply:

A. For all PRC exporters of hydrofluorocarbon blends and components thereof from the PRC which have not received their own rate, the cash deposit rate will be the PRC-wide rate.

B. For all non-PRC exporters of hydrofluorocarbon blends and components thereof from the PRC which have not received their own rate, the cash deposit rate will be the rate applicable to the exporter/producer combinations that supplied that non-PRC exporter.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OII:DM.)

9. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party